

2011 Annual Report to the Board of Forestry

Alaska Department of Fish and Game Division of Habitat



March 2012

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I. OVERVIEW

The Alaska Department of Fish and Game, Division of Habitat, submits our 2011 annual report to the Board of Forestry as required by AS 41.17.047(d). This report summarizes the activities of the Division of Habitat (Habitat) during the period January 1 – December 31, 2011, to implement the Forest Resources and Practices Act (FRPA). This report also informs the Board of Forestry about the effectiveness of the FRPA, its regulations, and best management practices (BMPs) designed to protect the resources for which Habitat has statutory responsibility.

Alaska Statutes require the Alaska Department of Fish and Game (ADF&G) to manage, protect, maintain, improve, and extend the fish, game, and aquatic plant resources of the state in the interest of the economy and general well-being of the State (AS 16.05.020), to ensure the proper protection of anadromous fish habitat (AS 16.05.871), and to provide fish passage (AS 16.05.841). Under FRPA, ADF&G is given due deference on private and public land regarding effects on fish habitat from timber operations including variations to riparian standards, designation of alternative site-specific riparian protection plans, and road location decision within riparian areas (AS 41.17.098(d)). ADF&G is granted due deference for measures allowing the maintenance of important fish and wildlife habitats on state and municipal lands (AS 41.17.060(c) (7)). Also under FRPA, ADF&G helps identify and protect important wildlife habitats on private lands, and provides educational, technical, and extension services for voluntary management techniques that minimize adverse effects on wildlife habitat (AS 41.17.098(d) and AS 41.17.910(b)&(c)).

In the first half of calendar year 2011, Habitat used Clean Water Act Section 319 grants with a General Fund match to support staff who attended forestry-related meetings and training, reviewed and commented on forestry-related documents, issued Fish Habitat Permits, and spent time in the field. Habitat also used Capital Improvement Project (CIP) funds to support one habitat biologist tasked with coordinating ADF&G's input on U.S. Forest Service project planning and monitoring related to implementing the Tongass Land and Resource Management Plan (TLMP). Beginning in July, Clean Water Act Section 319 grant funding was terminated. An RSA with the Division of Forestry (DOF) was put in place to fund FRPA work on state and private lands.

A strong ADF&G field presence helped to ensure the proper protection of anadromous fish habitat and to provide for free fish passage. Habitat biologists were able to work closely with land managers and industry on the ground to identify optimal stream crossing locations, alternative access routes, and road locations.

II. PRIVATE, MUNICIPAL, AND TRUST LAND ACTIVITY

Project staff reviewed all detailed plans of operations (DPO), changes in operations, and renewal notices provided by the Division of Forestry (DOF) for compliance with FRPA and its implementing regulations. We assessed road alignments, drainage structures, the

width and integrity of riparian buffers, and erosion control BMPs, particularly with respect to our statutory obligations under AS 41 and AS 16. We provided recommendations to maintain or enhance wildlife habitat, pursuant to AS 41.17.910. We reviewed requests for variations from the FRPA. We issued Fish Habitat Permits that, when fully implemented by permittees, properly protected anadromous fish habitat and provided efficient fish passage. During review or inspection of forestry-related activities, we identified and nominated freshwater anadromous fish habitat to the *Catalog of Waters Important for Spawning, Rearing, or Migration of Anadromous Fishes* (Catalog), and documented high value resident fish habitat. We accounted for Fish Habitat Permit applications reviewed and denied and for Fish Habitat Permit violations where enforcement action was necessary. We spent the time necessary in the field to support the forestry-related activities listed above on private, municipal, University of Alaska, and Mental Health Trust lands.

SOUTHEAST REGION

Douglas Regional Office staff supported the State Forester on six FRPA inspections.

Douglas staff also reviewed and commented on one Alaska Coastal Management Program (ACMP) consistency review and, submitted one update to the Catalog.

Craig Area Office staff reviewed and commented on 15 DPOs reviewed one request for variation and eight changes in operation requests; processed 11 renewals; and conducted 12 FRPA inspections; and nine Fish Habitat Permit compliance inspections.

Craig staff also continued to work with DOF, NRCS, and Klukwan on Long Island looking at two potential culvert replacements that resulted from a road condition survey conducted in 2009.

SOUTHCENTRAL REGION

Anchorage Regional Office staff reviewed and commented on nine DPOs, reviewed two requests for variation and four changes in operation requests. Anchorage staff also conducted 46 FRPA inspections and eight Fish Habitat Permit compliance inspections.

Anchorage staff issued eight AS 16.05.841 Fish Habitat Permits, submitted nine updates to the Catalog, and documented nine anadromous fish water bodies.

INTERIOR REGION

Fairbanks Regional Office staff reviewed and commented on one DPO on private lands in the Valdez/Copper River area and four DPOs on private lands in the Tok area. No FRPA-related Fish Habitat Permits were issued on private, municipal, or trust lands in 2011.

III. STATE LAND ACTIVITY

Project staff reviewed and commented on Forest Land Use Plans (FLUP) and Five-Year Schedules of Timber Sales (FYSTS) we received from the DOF. We also completed the work on State lands described in the first paragraph of section II, above.

SOUTHEAST REGION

Douglas Regional Office staff reviewed and submitted comments on 10 NEPA documents.

Douglas staff also conducted three FRPA inspections on state managed lands.

Craig Area Office staff conducted two inspections on state related FRPA operations, and reviewed and commented on two DPOs for activities proposed on state-managed lands.

SOUTHCENTRAL REGION

Kenai Peninsula Area Office staff reviewed and commented on four FLUPs and one FYFMS. Kenai Peninsula staff also conducted one FRPA inspection and submitted one update to the Catalog for an anadromous fish stream on state-managed lands.

INTERIOR REGION

Fairbanks Regional Office staff reviewed and commented on 15 FLUPs in the Fairbanks area and three FLUPs in the Tok area. In addition, two forest practices field inspections were performed and three Fish Habitat Permits were issued for ice bridge stream crossings by timber access roads.

IV. FEDERAL LAND ACTIVITY

Project staff reviewed National Environmental Policy Act (NEPA) documents and federal ACMP consistency certifications for compliance with the FRPA and its regulations. We assessed conditions as described above in the first paragraph of section II. We issued the U.S. Forest Service (USFS) concurrences that verified the proper protection of anadromous fish habitat and maintenance of anadromous and resident fish passage during timber-related activities. We continued to collaborate with the USFS to protect fish and wildlife resources and their habitats on federal lands, particularly on the Tongass National Forest. We field checked our work on federal lands whenever possible.

SOUTHEAST REGION

Douglas Regional Office staff reviewed and commented on seven federal ACMP consistency reviews, five NEPA documents, and issued 105 USFS Concurrences.

Douglas staff also collaborated with USFS personnel on restoration projects in the Starrigavan Creek, Sitkoh River, Eagle Creek and Eaton Creek watersheds of the Sitka Ranger District.

Craig Area Office staff reviewed and commented on three NEPA documents and issued 57 USFS Concurrences.

The high number of concurrences issued in the Southeast Region was due, in part, to significant road maintenance, closeout, and storage efforts on the Tongass National Forest-- a trend we expect to continue next year.

SOUTHCENTRAL REGION

Anchorage Regional Office, Palmer Area Office, and Kenai Peninsula Area Office reported no activity on federal lands during this reporting period.

INTERIOR REGION

Fairbanks Regional Office staff reported no direct activity on federal lands during this reporting period. Staff consulted with representatives from Fort Yukon and other Interior villages regarding upcoming proposals for biomass harvests from trust and Native corporation lands

V. FOREST PRACTICES IMPLEMENTATION OVER ALL LANDS

MONITORING

Project staff continued to participate with DOF in forest practices compliance and effectiveness monitoring efforts.

The DOF monitoring strategy for FRPA BMPs includes documentation of compliance during field inspections conducted by foresters. Habitat Division staff participated in compliance monitoring field inspections.

Habitat Division also participated in federal effectiveness monitoring meetings and field trips.

VI. SPECIAL PROJECTS

LANDSLIDE SCIENCE AND TECHNICAL COMMITTEE

Kyle Moselle, ADF&G Tongass Coordinator, represented Habitat on the second phase of the Landslide Science and Technical Committee as it evaluated potential options (e.g., regulatory amendments, additional definitions, BMPs, training needs, etc.) for assuring that FRPA adequately protects water quality and fish habitat from adverse impacts due to landslides.

TLMP IMPLEMENTATION

The ADF&G Tongass Coordinator (located in the Douglas Regional Office) collaborated with USFS and DOF staff to develop the Wrangell Island, Tonka, Central Kupreanof, and Big Thorne timber sales this year. He also participated in Interdisciplinary Teams (IDTs) for the Ocean Boulevard Wildlife Enhancement project, Stanley Creek Integrated Resource Management Plan (IRMP), and the Twelvemile Creek and Sitkoh River Restoration projects.

The Tongass Coordinator submitted quarterly reports to the Department of Environmental Conservation (DEC) on the expenditure of 319 funds by Habitat staff in support of FRPA implementation and monitoring. He also represented ADF&G on the Tongass Futures Roundtable, and continued his efforts to work with ADF&G staff on specific Standards and Guidelines of the Tongass Land and Resource Management Plan (TLMP) and the importance of its implementation.

ANADROMOUS WATERS CATALOGING

Fish and Wildlife Technician Tess Quinn is working to catalogue anadromous fish streams over a six-year period in the communities of Juneau (2010), Haines (2011), Sitka (2012), Skagway (2012), Petersburg and Wrangell (2013), and Ketchikan (2014). This project, funded by the Alaska Sustainable Salmon Funds, will correct existing inaccuracies within the Catalog and document uncataloged streams for inclusion in the Catalog.

INTERAGENCY MONITORING AND EVALUATION GROUP (IMEG)

Habitat staff continued our involvement with USFS staff participating in riparian BMP implementation and effectiveness monitoring inspections.

TONGASS FISH PASSAGE PRIORITIZATION

Since 1998, the USFS and ADF&G have worked closely to evaluate fish passage problems across the Tongass National Forest. Project staff continues to work with the USFS, U.S. Fish and Wildlife Service, and other agencies to prioritize fish passage restoration projects.

ROAD CONDITION SURVEYS

Ginny Litchfield and Patti Berkhahn are working with DNR State Forestry to survey crossing structures on forestry roads requiring fish passage and review compliance with FRPA on all State and private lands on the Kenai Peninsula. This is a three-year project funded in part by the Alaska Sustainable Salmon Fund.

VII. ADMINISTRATION, BUDGET, AND STAFFING

SECTION 319 FY11 FUNDING

In FY10 Habitat spent \$121,373.17 in support of FRPA. The total ADF&G FY11 FRPA budget was \$141,667.00, of which \$85,000.00 was federal funding via Reimbursable Service Agreement (RSA) through the Department of Environmental Conservation (DEC), and \$56,667.00 was General Fund (GF) match (40%). Of the \$141,667.00, a total of \$139,805.86 was spent by Habitat in support of FRPA during FY11. Beginning in FY12, Section 319 funds from DEC to support FRPA work were no longer available. The Department of Natural Resources, Division of Forestry, requested and received a budget increment to support several divisional tasks. Habitat received \$42,400 from DNR DOF via RSA, to help replace the lost 319 funds. This amount is less than half of the funds we received from DEC in previous years and does not require a GF match. Additionally, funding from DOF was a onetime funding for FY12 only. These funds will not be available to ADF&G in the future. ADF&G has requested an \$85,000 increment in our General Funds to help cover the costs of conducting FRPA related work. It is unknown at this time whether Habitat will receive this increase in funding.

For the second half of FY11, FRPA funds partially supported the work of 10 staff. Ninety percent of these funds were spent on salaries and 7% on travel. The number of FRPA documents ADF&G commented on, and the number of Title 16 permits for forestry activities has decreased slightly over the past few years.

STAFF CHANGES

PROMOTIONS

Kate Harper	Habitat Biologist III to IV	HAB -- Anchorage
Jack Winters	Habitat Bio III to IV	HAB -- Fairbanks
Bill Morris	Habitat Bio III to Regional Sup.	HAB -- Fairbanks

RETIREMENTS

Mac McLean	Regional Supervisor	HAB -- Fairbanks
Kerry Howard	Director	HAB -- HQ

TRANSFERS

Becky Nelson	Admin. Officer	HAB -- HQ
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NEW HIRES

Randy Bates	Director	HAB -- HQ
Angie Webb	Administrative Manager	HAB -- HQ
Greg Albrecht	Habitat Biologist II	HAB -- Juneau
Benjamin Brewster	Habitat Biologist I	HAB -- Juneau
Gordon Wilson-Naranjo	Habitat Biologist I	HAB -- Juneau

VIII. STATEMENT OF FRPA EFFECTIVENESS AND RECOMMENDATIONS FOR CHANGES TO CORRECT PROCEDURAL OR SUBSTANTIVE PROBLEMS

The ADF&G considers the FRPA an effective mechanism for maintaining fish habitat, including water quality, during forestry-related activities. In addition to properly protecting fish habitat under AS 16.05.871, Habitat ensures fish passage under AS 16.05.841.

IX. RESEARCH AND MONITORING NEEDS

The Tongass Land and Resource Management Plan (TLMP) includes Forest-wide Standards and Guidelines. Habitat Division is qualitatively assessing the applicability of these standards and guidelines during project planning and implementation, as well as participating in annual effectiveness monitoring in the field with USFS staff. Habitat Division will continue to work with other ADF&G divisions about the applicability and utility of the standards and guidelines, and plans to participate in the five-year review of the TLMP in 2013.

X. CALENDAR YEAR 2012

In addition to our ongoing FRPA responsibilities detailed elsewhere in this report, Habitat Division will work on the following tasks during calendar year 2012, as funding and staffing allow:

- Habitat will participate in road condition surveys on forest roads transiting state and private lands on the Kenai Peninsula funded through the Alaska Sustainable Salmon Fund (SSF) program.

- Increase our field presence during late winter/early spring to monitor winter road construction, use, and closeout in relation to fish habitat and water quality.
- Continue to provide training describing the department's Fish Habitat Permit Program under the Anadromous Fish Act (AS 16.05.871) and the Fishway Act (AS 16.05.841) to resource agency staff, timber operators, land and resource management planners, and landowners. This training will include strategies to prevent, resolve, and minimize impacts to fish habitat, including fish passage.
- Participate in a series of DOF-sponsored training sessions for agency staff and operators to increase knowledge of, and ability to implement the adopted revisions to the Region II and III riparian statutes and regulations.
- Participate in Tongass Land and Resource Management Plan implementation and other initiatives.

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